



INVESTOR IN PEOPLE

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Your Reference: IML/lb/fm/42811.GB01
Application No: GB 0202030.3

26 June 2003

Dear Sirs

Patents Act 1977: Examination Report under Section 18(3)

Latest date for reply:

27 October 2003

I have re-examined your application in response to your agent's letter of 18 June 2003 and enclose two copies of my further examination report and two copies of the new citation.

By the above date you should either file amendments to meet the objections in the enclosed report or make observations on them. If you do not, the application may be refused.

With reference to paragraphs 2 and 3 of the enclosed report, it is considered that the supplementary search requested on 3rd December 2002 is not necessary due to the objection raised with regard to added matter of the broadened claims. You may wish to request a refund for the fee paid for the requested supplementary search or leave it "against" this application until this objection has been resolved and/or a supplementary search becomes necessary.

Your intention to file a divisional application is also noted and I confirm that this application will not be forwarded for grant until your divisional application has been

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Page 2

26 June 2003

received by the office.

Yours faithfully

Adam Tucker
Examiner



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Page 1/2

Patents Act 1977 Examination Report under Section 18(3)

Basis of the examination

1. My examination has taken account of the amendments filed and comments made with your agent's letter of 18th June 2003.

Added matter

2. Your amended application discloses subject matter which was not present in the original application. Any amendment which extends the original disclosure of an application is not allowable and should be removed or the application may be refused. The additional subject matter I have identified is:

"A method/apparatus for transmitting digitized audio...using a wireless communications link implementing a packet-based communications protocol" as claimed in claims 1 and 15, and " a method of forming a data packet for the transmission of a digital audio signal using a packet based synchronous connection-oriented communication link" as claimed in claim 14.

As stated in my previous report at paragraph 2.2 no disclosure is made in the description as filed of using any other types of wireless communication links other than Bluetooth or, more specifically, Bluetooth derived links.

It is noted that, as stated in your agents letter, your application in its broadest sense relates to a cordless telephone system (from the first line of the description) and that the description of the *background art* discloses desirable characteristics of a wireless link used for cordless telephony (from the bottom of page 1 and the top of page 2). Furthermore, it is accepted that it may be *obvious* to a skilled person in the art to adapt the technique described in your application in relation to Bluetooth for use in other types of packet-based wireless communication links. *However for the purposes of determining added matter such use has to be implied in the description* and no such implication seems to be made (from J. Aldous in Flexible Direction Indicators Ltd's Application [1994] RPC 207). Your application relates to using a non-standard protocol derived from the Bluetooth standard as repeatedly mentioned throughout the description as filed, and each of the described embodiments relates to Bluetooth derived communication links. No disclosure or hint is made of using any other types of communication links other than those described and therefore the scope of the broadened independent claims contain embodiments outside the scope of the application as filed.



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Page 2/2

[Examination Report contd.]

Scope of Search

3. Note also as previously stated, disregarding the added matter described above it is considered that my first search of your application encompasses the scope of your amended claims and therefore I have not yet performed the supplementary search as requested on 3rd December 2002.

Inventive step

4. The invention as defined in claim(s) Is obvious in view of what has already been disclosed in the following document:

WO 01/05172 Ericsson See in particular claim 1

I apologise that this document has not been previously cited. It was found whilst updating the search in accordance with section 2(3).

5. The Ericsson document discloses transmission of speech data which is encoded at a first typical bit rate, and encoding it at a second, lower, bit rate and generating and appending error detection data for the speech data encoded at the second lower bit rate before transmission. This appended error check (CRC) data is then subsequently used at the receiver to check that the voice data was received without error. No specific disclosure is made that the described technique is used in a Bluetooth environment, however it would seem obvious to incorporate the described technique and implement it in a Bluetooth system. This would seem to render obvious *at least* claims 1 and 14 (disregarding the added matter described above).

Note that this document will be considered in full when the scope of the claims has been clarified.



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